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July 23, 2021

Via ECF
The Honorable John G. Koeltl
United States District Court Judge
United States Courthouse
Southern District of New York
500 Pearl Street, Courtroom 14A
New York, NY 10007-1312

*Conference adjourned to
August 10, 2021 at 2:30 P.M.
So ordered. J. G. Koeltl
7/26/21 U.S.D.-2*

Re: 1:21-cv-05352-JGK
Baumholzer v. Huntington Capital Resources, Ltd. et al.

Honorable Judge Koeltl,

Plaintiff David Baumholzer submits this letter motion to request an adjournment of the telephonic pre-motion conference scheduled for July 27, 2021, which this court ordered for scheduling on July 21st at the request of Defendants Huntington Capital Resources, Ltd. and Philip J. Sagona ("Defendants"). This is Plaintiff's first request for an adjournment.

Plaintiff requests an adjournment because of this office's scheduling conflict involving another client who will be providing testimony on July 27th before the Financial Regulatory Authority, a matter that has been already rescheduled to that date. Also, Plaintiff's counsel would like an opportunity to review the substantive matters addressed in Defendants' letter and determine how to proceed and/or resolve any issues raised.

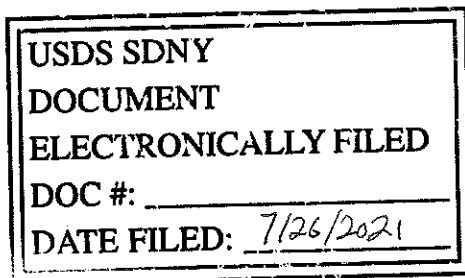
The undersigned made multiple attempts but has been unable to obtain Defendants' consent for adjournment. On July 22, the undersigned sent the enclosed email to Defendants' counsel, Andrew Saulitis, to request consent but he has failed to reply. We also attempted to reach Mr. Saulitis by phone on July 22 and 23 but there was no answer and no option to leave a voicemail.

Plaintiff has availability to adjourn the pre-hearing conference to either August 10 or 24, 2021. If these dates do not work, we have many other alternative dates.

Respectfully,

/s/ Jenice L. Malecki

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Attorneys for Plaintiff David Baumholzer



Enclosure

cc: Andrew P. Saulitis (apslaw@msn.com), Attorney for Defendants Huntington Capital Resources, Ltd. and Philip J. Sagona

Darryl J. Bouganim

From: Jenice L. Malecki
Sent: Thursday, July 22, 2021 2:17 PM
To: apslaw@msn.com
Cc: Darryl J. Bouganim
Subject: Baumholzer v. Huntington Capital Resources, Ltd., et al. 1:21-cv-05352-JGK-DCF

Mr. Saulitis,

I received your letter dated July 19, 2021.

As suggested in the last sentence of your letter, we would like to have an opportunity to review your position to decide how we want to proceed.

Would you consent to putting off Tuesday's conference to August 10 or 24 so that we have a full opportunity to do so?

If you do not consent to those dates, I would still need to change the date from 7/27/21 to another date. I will be assisting a client in SEC testimony (which has been rescheduled already) and am not available that day.

Please advise. I need to know today, as I understand from Judge Koeltl rules, I need to make the request for an adjournment 48 hours (I assume business) in advance.

Regards,

Jenice

JENICE L. MALECKI, ESQ.
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